

Message Text

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ACTION AF-10

INFO OCT-01 ISO-00 SSO-00 NSCE-00 SS-15 PM-05 SP-02
 INRE-00 CIAE-00 INR-10 NSAE-00 L-03 EB-08 /054 W
 -----123121 281409Z /46
O 281245Z JUL 78
FM AMEMBASSY PRETORIA
TO SECSTATE WASHDC IMMEDIATE 1915
INFO ISA WASHDC IMMEDIATE
DIA WASHDC/AH-6/AH-8 IMMEDIATE

C O N F I D E N T I A L SECTION 1 OF 2 PRETORIA 4339

E.O. 11652: GDS
TAGS: MARR, SF
SUBJECT: MOVEMENT OF DAO AIRCRAFT

REF: A) USDAO PRETORIA 469 JUNE 78, B) CAPE TOWN 1169,
C) DIA 5931 122254Z JUN 78, D) STATE 150145

1. THE FOLLOWING IN PARAGRAPH 2 BELOW IS TEXT OF PROPOSED
USG-SAG AGREEMENT PROVIDING FOR THE HANGARING OF THE DAO
AIRCRAFT AT JAN SMUTS AIRPORT. PROVISIONS OF THE AGREEMENT
ARE SATISFACTORY TO DAO AND EMBASSY. REQUEST CONCURRENCE
FOR EMBASSY CONTRACTING OFFICER JOHN GRAHAM TO SIGN THE
AGREEMENT ON BEHALF OF USG. URGE EARLY RESPONSE.
DESIRABLE TO HAVE AGREEMENT SIGNED AND AIRCRAFT AND RELATED
EQUIPMENT MOVED PRIOR TO ANTICIPATED REQUIREMENT FOR THE
AIRCRAFT BY AMBASSADOR LOW AND JOHNNY GRAHAM COMMENCING
ON OR ABOUT AUGUST 13 (LONDON 11873 NOTAL).

2. TEXT OF PROPOSED AGREEMENT:

 AGREEMENT
ENTERED INTO BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SOUTH
AFICA HEREIN REPRESENTED BY ADRIAAN BERNARDUS EKSTEEN IN HIS
CAPACITY AS SECRETRY FOR TRANSPORT, OF THE ONE PART, AND THE
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GOVERNMENT OF THE UNITED STATES OF AMERICAN HEREIN REPRESENTED BY
.....IN HIS CAPACITY AS, OF THE OTHER PART.

WHEREAS THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA HAS AGREED
TO PROVIDE AIRCRAFT HANGARAGE AND STORAGE FACILITIES TO THE
GOVERNMENT OF THE UNITED STATES OF AMERICA IN THE HANGAR OF THE
DIRECTORATE OF CIVIL AVIATION SITUATED ON PLOTS 21 AND 6, IN THE

AREA FOR NON-SECHEDULED AIR CARRIERS AND AIRCRAFT UNDERTAKINGS AT JAN SMUTS AIRPORT FOR THE HANGARAGE OF AN BEEHCRAFT 200 REGISTRATION 60167 ASSIGNED TO THE UNITED STATES EMBASSY AT PRETORIA OR TO SUCH OTHER AIRCRAFT AS MAY BE ASSIGNED TO SUCH EMBASSY FROM TIME TO TIME.

THE PARTIES HEREBY AGREE THAT:

1. NO RENTAL SHALL BE CHARGED FOR THE AREA AS WILL BE TERMINED FROM TIME TO TIME BY THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA FOR THE PURPOSE OF HANGARAGE AND MAINTENANCE.

2. THE HANGAR AREA SHALL BE USED ONLY FOR THE HANGARAGE AND MAINTENANCE OF AIRCRAFT BELONGING TO THE GOVERNMENT OF THE UNITED STATES OF AMERICA, WHICH SHALL NOT USE ANY PORTION OF THE PREMISES AS A DWELLING OR AS A PLACE FOR SLEEPING OR PERMIT ANY PORTION OF THE PREMISES TO BE SO USED BY ANY OF ITS EMPLOYEES OR ANY OTHER PERSON.

3. THE GOVERNMENT OF THE UNITED STATES OF AMERICAN SHALL BE RESPONSIBLE FOR THE COST OF INSTALLATION OF STORAGE FACILITIES FOR SPARES, TOOLS AND ASSOCIATED EQUIPMENT AT ITS DISCRETION FOR WHICH, HOWEVER, THE PRIOR APPROVAL OF THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA, REPRESENTED BY THE SECRETARY FOR TRANSPORT, SHALL BE REQUIRED.

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4. THE GOVERNMENT OF THE UNITED STATES OF AMERICA SHALL FOR THE PURPOSE OF THE MAINTENANCE OF ITS AIRCRAFT USE ONLY SUCH ELECTRICAL EQUIPMENT AS MAY ORDINARILY BE EXPECTED TO BE USED IF THE PREMISES ARE PROPERLY USED FOR THE PURPOSE SET OUT HEREIN AND IT SHALL NOT INTERFERE WITH OR IN ANY WAY ALTER THE ELECTRICAL INSTALLATION WITHOUT THE CONSENT OF THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA, REPRESENTED BY THE SECRETARY FOR TRANSPORT, AND SHALL NOT MAKE ANY CONNECTIONS TO THE ELECTRICAL SYSTEM EXCEPT AT THE POWER OR LIGHTING POINTS PROVIDED BY THE DEPARTMENT OF TRANSPORT; AND IN RESPECT OF CONNECTIONS TO POWER POINTS, EQUIPMENT AND APPLIANCES UTILIZED SHALL NOT EXCEED 1,000 WATTS PER POWER POINT, WHILE IN RESPECT OF LIGHTING POINTS, EQUIPMENT AND APPLIANCES UTILIZED SHALL NOT EXCEED 200 WATTS PER LIGHTING POINT.

5. THE GOVERNMENT OF THE UNITED STATES OF AMERICA SHALL NOT EFFECT ANY ALTERATION, ADDITION OR IMPROVEMENT TO OR ON THE PREMISES WITHOUT THE WRITTEN CONSENT OF THE REPUBLIC OF SOUTH AFRICA, REPRESENTED BY THE SECRETARY FOR TRANSPORT.

6. THE GOVERNMENT OF THE UNITED STATES OF AMERICAN UNDERTAKES NOT TO STORE OR INTRODUCE ON OR IN THE PREMISES ANY EXPLOSIVES OR

OTHER DANGEROUS ARTICLES AND IT SHALL REMOVE ANY ARTICLE FROM THE PREMISES WHEN CALLED UPON TO DO SO BY THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA, REPRESENTED BY THE SECRETARY FOR TRANSPORT, IF, IN HIS OPINION, SUCH ARTICLE IS OF A DANGEROUS NATURE. STANDARD AIRCRAFT EQUIPMENT SUCH AS FIRE BOTTLES ARE EXCLUDED HEREFROM.

7. THE GOVERNMENT OF THE UNITED STATES OF AMERICA UNDERTAKES TO COMPENSATE THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA FOR

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ACTION AF-10

INFO OCT-01 ISO-00 SSO-00 NSCE-00 SS-15 SP-02 PM-05
INRE-00 CIAE-00 INR-10 NSAE-00 L-03 EB-08 /054 W
-----123154 281408Z /46

O 281245Z JUL 78
FM AMEMBASSY PRETORIA
TO SECSTATE WASHDC IMMEDIATE 1916
INFO ISA WASHDC IMMEDIATE
DIA WASHDC/AH-6/AH-8 IMMEDIATE

C O N F I D E N T I A L SECTION 2 OF 2 PRETORIA 4339

ANY LOSS OR DAMAGE SUFFERED BY IT RESULTING FROM OR IN ANY WAY CONNECTED WITH THE PRESENCE OF AIRCRAFT, STORES AND EQUIPMENT BELONGING TO THE GOVERNMENT OF THE UNITED STATES OF AMERICA WITHIN THE HANGARAGE AREA OR RESULTING FROM OR IN ANY WAY CONNECTED WITH AN ACT OR NEGLECT OF A SERVANT, AGENT OR CONTRACTOR OF THE GOVERNMENT OF THE UNITED STATES OF AMERICA.

8. WHILE THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA WILL USE ALL REASONABLE ENDEAVOURS TO ENSURE THAT THE AFORESAID AIRCRAFT IS HOUSED UNDER COVER AT ALL TIMES, IT RESERVES THE RIGHT TO LEAVE THE AIRCRAFT IN THE OPEN, WHETHER TIED DOWN OR NOT, IF FOR WHATEVER REASON IT BECOMES NECESSARY TO REMOVE SUCH AIRCRAFT FROM WITHIN THE HANGAR TO ANY LOCATION OUTSIDE SUCH HANGAR. THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA ACCEPTS NO RESPONSIBILITY FOR LOSS OR DAMAGE FROM ANY CAUSE WHATSOEVER OF OR TO THE AFORESAID AIRCRAFT WHILE IT IS HOUSED, LEFT IN THE OPEN, OR PARKED.

9. (1) THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA SHALL NOT BE LIABLE FOR ANY LOSS OR DAMAGE ARISING FROM THE

DEATH OF OR INJURY TO ANY OF THE SERVANTS OF THE
GOVERNMENT OF THE UNITED STATES OF AMERICA OR ANY DAMAGE
TO ANY OF ITS OR THEIR PROPERTY RESULTING FROM ANY DEFECT
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IN THE STRUCTURE OF THE HANGAR AT THE AIRPORT CONCERNED
OR FROM THE CONDITION OF THE FLOORS, OR ANY OTHER PART
OF THE SAID BUILDINGS, AS A RESULT OF INSUFFICIENT
LIGHTING OR VENTILATION OF ANY PART THEREOF OR THROUGH
ANY DEFECTS IN ANY MACHINERY, PLANT OR APPLIANCE INSTALLED
OR USED IN THE PREMISES OR THE SAID HANGAR, OR RESULTING
FROM LEAKAGE FROM OR BREAKING OF ANY WATERPIPE OR CONNEC-
TION OR FROM ANY OTHER CAUSE WHATSOEVER INCLUDING ANY
DAMAGE RESULTING FROM FIRE, FLOODING, LIGHTNING OR OTHER
ACT OF GOD, WAR, RIOTS OR OTHER CIVIL COMMOTION, NEGLIGENCE
OR OMISSION OR UNLAWFUL ACT ON THE PART OF THE GOVERNMENT
OF THE REPUBLIC OF SOUTH AFRICA OR ANY OF ITS SERVANTS.

(2) THE GOVERNMENT OF THE UNITED STATES OF AMERICA
INDEMNIFIES THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA
AGAINST ANY CLAIM BY A THIRD PARTY ARISING IN RELATION TO THE
PARKING OF THE EMBASSY AIRCRAFT AT JAN SMUTS AIRPORT, AND ALL
COSTS IN CONNECTION WITH SUCH CLAIM FOR LOSS OR DAMAGE
ARISING FROM THE DEATH OF OR INJURY TO, OR DAMAGE TO THE
PROPERTY OF SUCH THIRD PARTY -

(A) RESULTING FROM ANY CAUSE MENTIONED IN CLAUSE 9(1)
WHILE THE SAID PERSONS OR PROPERTY ARE IN OR UPON
THE AIRPORT IN CONNECTION WITH THE AFORESAID
HANGARAGE; OR

(B) RESULTING FROM OR IN ANY WAY CONNECTED WITH AN ACT
OR NEGLECT OF THE GOVERNMENT OF THE UNITED STATES
OF AMERICA, HIS SERVANTS, AGENTS OR CONTRACTORS.

10. THE FOREGOING CONDITIONS GOVERNING THE HANGARAGE OF THE
EMBASSY AIRCRAFT AT JAN SMUTS AIRPORT WILL REMAIN VALID FOR AN
INITIAL PERIOD OF ONE YEAR WITH EFFECT FROM 1 JULY 1978 AND
WILL THEREAFTER REMAIN IN FORCE UNTIL TERMINATED BY EITHER
PARTY THERETO.

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SIGNED FOR AND ON BEHALF OF THE GOVERNMENT OF THE REPUBLIC OF SOUTH
AFRICA ATTHIS.....
DAY OF 19....

.....
SECRETARY FOR TRANSPORT

AS WITNESSES:

1.

2.

SIGNED FOR AND ON BEHALF OF THE GOVERNMENT OF THE UNITED STATES

OF AMERICA AT THIS

DAY OF 19....

.....

AS WITNESSES:

1.

2. END TEXT.

EDMONDSON

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
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Concepts: AIRCRAFT
Control Number: n/a
Copy: SINGLE
Draft Date: 28 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978PRETOR04339
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Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780310-0300
Format: TEL
From: PRETORIA
Handling Restrictions: n/a
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Legacy Key: link1978/newtext/t1978079/aaaaahkj.tel
Line Count: 241
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Litigation History:
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Office: ACTION AF
Original Classification: CONFIDENTIAL
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Review Content Flags:
Review Date: 27 apr 2005
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Review Exemptions: n/a
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Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2099876
Secure: OPEN
Status: NATIVE
Subject: MOVEMENT OF DAO AIRCRAFT
TAGS: MARR, SF
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/015b827a-c288-dd11-92da-001cc4696bcc
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